

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERYL LYNN MINOR,

Plaintiff,

Case No. 1:10-cv-782

v.

HON. JANET T. NEFF

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

ORDER APPROVING REPORT AND RECOMMENDATION

This is a civil action filed pursuant to 42 U.S.C. § 405(g). Plaintiff's counsel filed a Motion for an award of attorney fees under 42 U.S.C. § 406(b) (Dkts 46, 47). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on February 27, 2015, recommending that this Court grant the motion. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C). However, Plaintiff's counsel submitted an affidavit (Dkt 60-1) indicating that the request for EAJA fees is pending before the 6th Circuit Court of Appeals and such fees will be paid directly to Plaintiff. In light of this, the Court will award Plaintiff's counsel \$35,323.25 (thirty-five thousand, three hundred twenty-three dollars and twenty-five cents) in fees pursuant to 42 U.S.C. § 406(b). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (Dkt 59) is APPROVED and ADOPTED as the opinion of the Court except as stated herein.

IT IS FURTHER ORDERED that the Motion for an award of attorney fees under 42 U.S.C. § 406(b) (Dkts 46, 47) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's counsel is awarded \$35,323.25 (thirty-five thousand, three hundred twenty-three dollars and twenty-five cents) in fees pursuant to 42 U.S.C. § 406(b).

Dated: March 19, 2015

/s/Janet T. Neff
JANET T. NEFF
United States District Judge